

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 1:09CR510
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
VITALY FEDORCHUK,)	MEMORANDUM OPINION
PAVLO MOSTRANSKY,)	AND ORDER
JAROSLAV WLADYKA,)	
)	
DEFENDANTS.)	

This matter is before the Court upon Magistrate Judge Kenneth S. McHargh's Reports and Recommendations that the Court accept Defendants Vitaly Fedorchuk, Pavlo Mostransky, and Jaroslav Wladyka's ("the Defendants") pleas of guilty and enter findings of guilty against the Defendants. (Dkt. # 156, 189, 194).

On November 23, 2009, the Government filed an Indictment against the Defendants. (Dkt. # 12). On April 13, 2010, the Government filed a Supplemental Information as to Jaroslav Wladyka. (Dkt. # 141). On May 19, 2010, the Government filed a Supplemental Information as to Pavlo Mostransky. (Dkt. # 191).

On April 5, April 7, and May 4, 2010, this Court issued orders assigning this case to Magistrate Judge McHargh for the purposes of arraignment and receiving the guilty pleas of Defendants Jaroslav Wladyka, Pavlo Mostransky, and Vitaly

Fedorchuk, respectively. (Dkt. # 128, 131, 171).

On April 14, a hearing was held in which Jaroslav Wladyka entered a plea of guilty to Count Twenty Four of the Supplemental Information, possession of false identification documents, in violation of 18 § U.S.C. 1028(A)(6)&(b)(6).

On May 17, 2010, a hearing was held in which Vitaly Fedorchuk entered a plea of guilty to Count One of the Indictment, conspiracy to unlawfully produce identification documents and false identification documents, in violation of 18 U.S.C. § 1028(f), 18 U.S.C. § 1028(b)(1)(A)(ii), and 18 U.S.C. § 1028(b)(1)(B).

On May 20, 2010, a hearing was held in which Pavlo Mostranskyy entered a plea of guilty to Count One of the Indictment; Count Twenty Three of the Indictment, conspiracy to commit forgery and false use of a passport, in violation of 18 U.S.C. § 1543 18 U.S.C. § 371; Count Twenty Five of the Supplemental Information, conspiracy to commit visa fraud, in violation of 18 U.S.C. § 1546(a) and 18 U.S.C. § 371; and Count Twenty Six of the Supplemental Information, money laundering, in violation of 18 U.S.C. § 1957.

Magistrate Judge McHargh received the Defendants' guilty pleas and issued Reports and Recommendations ("R&R's") recommending that this Court accept the Defendants' pleas and enter findings of guilty. (Dkt. # 156, 189, 194). None of the parties objected to Magistrate Judge McHargh's R&R's in the fourteen (14) days following the issuance of each R&R.

On *de novo* review of the record, Magistrate Judge McHargh's R&R's are

adopted. (Dkt. # 156, 189, 194). The Defendants were each found to be competent to enter a plea. The Defendants understood their constitutional rights. They were aware of the consequences of entering a plea. There is an adequate factual basis for the pleas. The Court finds that the pleas were entered knowingly, intelligently, and voluntarily. The Defendants' pleas of guilty are approved.

Therefore, Vitaly Fedorchuk, is adjudged guilty of Count One of the Indictment. Pavlo Mostransky is adjudged guilty of Counts One and Twenty Three of the Indictment, and Counts Twenty Five and Twenty Six of the Supplemental Information. Jaroslav Wladyka is adjudged guilty of Count Twenty Four of the Supplemental Information.

Sentencing hearings will be held for Jaroslav Wladyka on July 15, for Vitaly Fedorchuk on August 19, 2010 at 10:00 a.m, and for Pavlo Mostransky on August 19, 2010 at 11:00 a.m.

IT IS SO ORDERED.

/s/ Peter C. Economus - July 2, 2010
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE